

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01580-ABJ**

BAKAJ v. DEPARTMENT OF HOMELAND SECURITY  
Assigned to: Judge Amy Berman Jackson  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/29/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****ANDREW BAKAJ**

represented by **Bradley Prescott Moss**  
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V.

**Defendant****DEPARTMENT OF HOMELAND SECURITY**

represented by **Benton Gregory Peterson**  
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| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 05/29/2019 | <u>1</u> | COMPLAINT against DEPARTMENT OF HOMELAND SECURITY ( Filing fee \$ 400 receipt number 0090-6152948) filed by ANDREW BAKAJ. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons DHS, # <u>3</u> Summons USADC, # <u>4</u> Summons USAG)(Moss, Bradley) (Entered: 05/29/2019) |
| 05/29/2019 | <u>2</u> | Ex Parte MOTION File Complaint Using a Pseudonym and Using Counsel's Address by ANDREW BAKAJ (Attachments: # <u>1</u> Exhibit 1 – Moss Declaration, # <u>2</u> Text of Proposed Order)(Moss, Bradley) Modified event on 6/11/2019 (znmw). (Entered: 05/29/2019)                       |

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| 05/30/2019 | <u>3</u>  | NOTICE of Appearance by Mark Steven Zaid on behalf of ANDREW BAKAJ (Zaid, Mark) (Entered: 05/30/2019)   |
| 06/04/2019 |           | Case Assigned to Judge Amy Berman Jackson. (zef, ) (Entered: 06/04/2019)  |
| 06/04/2019 | <u>4</u>  | SUMMONS (3) Issued Electronically as to DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef, ) (Entered: 06/04/2019)   |
| 06/26/2019 | <u>5</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/18/2019. (Attachments: # <u>1</u> Exhibit USAG receipt)(Moss, Bradley) (Entered: 06/26/2019)  |
| 06/26/2019 | <u>6</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/18/2019. Answer due for ALL FEDERAL DEFENDANTS by 7/18/2019. (Attachments: # <u>1</u> Exhibit USADC receipt)(Moss, Bradley) (Entered: 06/26/2019)  |
| 07/08/2019 | <u>7</u>  | MOTION for Leave to File <i>First Amended Complaint</i> by ANDREW BAKAJ (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A – First Amended Complaint, # <u>3</u> Text of Proposed Order)(Moss, Bradley) (Entered: 07/08/2019)   |
| 07/18/2019 | <u>8</u>  | MOTION for Summary Judgment by DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Declaration)(Peterson, Benton) (Entered: 07/18/2019)   |
| 07/31/2019 | <u>9</u>  | NOTICE of Appearance by Benton Gregory Peterson on behalf of DEPARTMENT OF HOMELAND SECURITY (Peterson, Benton) (Entered: 07/31/2019)   |
| 07/31/2019 | <u>10</u> | MOTION for Extension of Time to <i>File Response to Defendant's Motion for Summary Judgment</i> by ANDREW BAKAJ (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Moss, Bradley) (Entered: 07/31/2019)   |
| 08/01/2019 |           | MINUTE ORDER. Plaintiff must inform the Court by tomorrow August 2, 2019 of the government's position on his motion for extension of time <u>10</u> in accordance with the local rules. See LCvR 7(m) (concerning parties' duty to confer on nondispositive motions). SO ORDERED. Signed by Judge Amy Berman Jackson on 08/01/2019. (lcabj3) (Entered: 08/01/2019)  |
| 08/01/2019 | <u>11</u> | RESPONSE TO ORDER OF THE COURT by ANDREW BAKAJ (Moss, Bradley) Modified event title on 8/9/2019 (znmw). (Entered: 08/01/2019)   |
| 08/01/2019 |           | MINUTE ORDER granting <u>10</u> Motion for Extension of Time. Plaintiff must file his response to defendant's motion for summary judgment by August 16, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 08/01/2019. (lcabj3) (Entered: 08/01/2019)  |
| 08/16/2019 | <u>12</u> | Consent MOTION for Leave to File <i>First Amended Complaint</i> by ANDREW BAKAJ (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A – First Amended Complaint, # <u>3</u> Text of Proposed Order)(Moss, Bradley) (Entered: 08/16/2019)   |
| 08/20/2019 |           | MINUTE ORDER granting <u>12</u> Consent Motion for Leave to File. The Clerk of Court is directed to file plaintiff's First Amended Complaint. Dkt. # 12–2. SO ORDERED. Signed by Judge Amy Berman Jackson on 08/20/2019. (lcabj3) (Entered: 08/20/2019)   |
| 08/20/2019 | <u>13</u> | First AMENDED COMPLAINT against DEPARTMENT OF HOMELAND SECURITY filed by ANDREW BAKAJ.(jf) (Entered: 08/21/2019)  |
| 08/28/2019 | <u>14</u> | ANSWER to <u>13</u> Amended Complaint by DEPARTMENT OF HOMELAND SECURITY.(Peterson, Benton) (Entered: 08/28/2019)   |
| 08/29/2019 |           | MINUTE ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before September 26, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 08/29/2019. (lcabj3) (Entered: 08/29/2019) |

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| 08/29/2019 |           | MINUTE ORDER finding as moot <u>7</u> Motion for Leave to File. Signed by Judge Amy Berman Jackson on 08/29/2019. (lcabj3) (Entered: 08/29/2019)   |
| 08/29/2019 |           | MINUTE ORDER finding as moot <u>8</u> Motion for Summary Judgment. Signed by Judge Amy Berman Jackson on 08/29/2019. (lcabj3) (Entered: 08/29/2019)  |
| 09/12/2019 | <u>15</u> | MOTION to Modify <i>Minute Order Dated August 29, 2019</i> by ANDREW BAKAJ (Attachments: # <u>1</u> Text of Proposed Order)(Zaid, Mark) (Entered: 09/12/2019)  |
| 09/26/2019 | <u>16</u> | Memorandum in opposition to re <u>15</u> MOTION to Modify <i>Minute Order Dated August 29, 2019</i> filed by DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Peterson, Benton) (Entered: 09/26/2019)  |
| 09/26/2019 | <u>17</u> | STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 09/26/2019)   |
| 09/30/2019 |           | MINUTE ORDER denying <u>15</u> Motion to Modify. In light of defendant's status report <u>17</u> which indicates that the government is still processing the FOIA request, the Court will deny without prejudice plaintiff's motion to revise the Court's August 29, 2019 Minute Order. SO ORDERED. Signed by Judge Amy Berman Jackson on 09/30/2019. (lcabj3) (Entered: 09/30/2019) |
| 09/30/2019 |           | MINUTE ORDER. In light of defendant's status report <u>17</u> , it is ORDERED that defendant shall file another status report by October 28, 2019. The parties are encouraged to revisit the possibility of narrowing plaintiff's request by agreement. Signed by Judge Amy Berman Jackson on 9/30/19. (DMK) (Entered: 09/30/2019)   |
| 09/30/2019 |           | Set/Reset Deadlines: Defendant shall file another status report by 10/28/2019. The parties are encouraged to revisit the possibility of narrowing plaintiff's request by agreement. (jth) (Entered: 09/30/2019)  |
| 10/03/2019 |           | MINUTE ORDER granting <u>2</u> Motion for Leave to File Complaint Using Counsel's Address. Plaintiff must file a notice under seal providing his home address to the Court by October 7, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/3/2019. (lcabj3, ) (Entered: 10/03/2019)   |
| 10/03/2019 |           | Set/Reset Deadlines: Plaintiff must file a notice under seal providing his home address to the Court by 10/7/2019. (jth) (Entered: 10/03/2019)   |
| 10/25/2019 | <u>18</u> | MOTION for Extension of Time to ( <i>Nunc Pro Tunc</i> ) for an Extension of Time to Comply with the Court's October 3, 2019, Order by ANDREW BAKAJ (Attachments: # <u>1</u> Text of Proposed Order)(Moss, Bradley) (Entered: 10/25/2019)  |
| 10/25/2019 |           | MINUTE ORDER granting <u>18</u> plaintiff's Nunc Pro Tunc Motion for Extension of Time. The plaintiff must file a notice under seal providing his home address to the Court by October 28, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/25/2019. (lcabj3) (Entered: 10/25/2019)  |
| 10/27/2019 |           | Set/Reset Deadlines: The plaintiff must file a notice under seal providing his home address to the Court by 10/28/2019. (jth) (Entered: 10/27/2019)  |
| 10/28/2019 | <u>19</u> | SEALED DOCUMENT filed by ANDREW BAKAJ(This document is SEALED and only available to authorized persons.)(Moss, Bradley) (Entered: 10/28/2019)  |
| 10/28/2019 | <u>20</u> | NOTICE of Filing Under Seal by ANDREW BAKAJ (Moss, Bradley) (Entered: 10/28/2019)  |
| 10/28/2019 | <u>21</u> | STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 10/28/2019)   |
| 10/30/2019 |           | MINUTE ORDER. In light of the defendant's status report <u>21</u> , it is ORDERED that defendant shall submit another status report by December 4, 2019. Signed by Judge Amy Berman Jackson on 10/30/2019. (lcabj3) (Entered: 10/30/2019)  |
| 12/04/2019 | <u>22</u> | STATUS REPORT by DEPARTMENT OF HOMELAND SECURITY. (Peterson, Benton) (Entered: 12/04/2019)   |